

**EXHIBIT “G”**

DECLARATION OF DARRELL W. SCOTT

## MEMORANDUM

TO: File

FROM: Terence R. Whitten

DATE: December 6, 2004

RE: DWS' cases

The following is a summary of Darrell Scott cases and what Darrell has told me is happening with them.

1. **General Cable – File # 23511-002.** This is an hourly case. Darrell presumes he is taking that case. We need to check it and see what the billing status is, whether there is an A/R, etc. because he said it can just be billed current or is billed current and so we would just be done with that one.
2. **NOS Telemarketing Fraud – File # \_\_\_\_\_.** It is MDL in Nevada. I think he indicated that this case should stay here. EJR is involved and he thought he indicated he would help on it. I need to clarify that with him. *P.K.S. – S??*
3. **Atlantic Coast – File # 65810-004.** This is a class action case where we lost the client – couldn't find him and he sounds like he was a flake. The court, in a recent hearing, dismissed the case. I think Darrell agreed to dismiss it, but we are going to get hit with sanctions, so in essence that is a hard cost situation or worse. There is probably no notification necessary there.
4. **Metropolitan.** There are 475 individual claimants I think. Some of the claimants were brought in by Darrell and some were brought in by others in the firm. Darrell thought that some of these and some of the work would stay here. There are five (5) lawsuits. One (1) is in *Oregon*, one (1) is in *Idaho*, and three (3) are in *Washington* that involve 40 plaintiffs. I guess on lots of others there are claimants where there is no case commenced. There is also the bankruptcy where we have submitted proofs of claim, etc. This is a matter where we are not class rep. I think Steve Berman wrested that from Darrell. So, they are all only individual cases. We will have to figure out, maybe write letters, probably consult with Darrell and others involved and try to figure out what stays, what goes, and who works on this, and who coordinates it.
5. **Grace cases.** Kristy and Darrell have given me a sheet showing the Grace cases and how it all works out. This is the general idea:
  1. **Libby, Montana cases.** I guess there is a basic cleanup and medical monitoring case. Here the EPA has done the cleanup and Darrell says that case is going nowhere and I guess that means that there are now fees that we would receive, etc. That is the Libby medical monitoring class action.

2. **Individual Libby personal injury cases.** Kristy's sheet seems to indicate that there are potentially as many as 27. I think most of these are smaller claims, but there may be one or two with more significance. Darrell thinks that the value of these cases, etc. will probably depend on legislation this year. We will have to see how the time breaks down on those. I guess some of them are opened and some of them are not.

6. **Zonolite Attic Insulation cases.** The Washington class action is the Barbanti case involving home insulation which apparently is stayed at the moment.

There is another case, the **Price case, which is a National Class Action**, which deals with non-Washington claimants. I get the impression that it is really unknown what is going to happen there. There have been some settlement discussions and there was a mediation set recently that was just canceled. So, that could mean money fairly quickly or not. Probably not.

**Bankruptcy case.** This is where Darrell is intimately involved in the property damage part of that case. I think there is some issue with the personal injury side and legislation could conceivably wipe the personal injury stuff out. Darrell is the science trial special counsel with a fella named Ed Westbrook. As I understand it, that is about done he says. I think the judge is not sympathetic and potentially may have even ruled against them. I don't know. There should be some fees coming in on that matter.

7. **Phen-Fen.** Bob is handling the PI cases. There is also the class action case where we made a fee request years ago and the thinking is that ultimately we will get paid something on that. I don't think there is much to do on it except we need someone to monitor it.
8. There is a **Martha Stewart** case that I know nothing about it. It is just starting and Darrell says he will take that case. *→ Homes*
9. There is a **UCC case** where we have got all of the fees and I guess there is just a little wrap up that is being done. *# in trust.*
10. There is a case called **E-Acceleration**. This was settled. We get \$5,000 a month for some further period of time and we ought to make sure we have the documentation and make sure we know exactly what is happening there. *1 m MIT*
11. There is the **Bon Marche** case which is BJW's case. Darrell would like to continue to work on that case with Bryce and said that it is a good case.

We are going to have to see if there are any other matters that are pending and whether we need to determine who takes the case etc.

End of memo.